

**FILED****UNITED STATES DISTRICT COURT**

for the

**Western District of Texas**

Pecos Division

February 23, 2021

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXASBY: Joseph Hinojos  
DEPUTY

United States of America )

v. )

(1) Alexzander BARRERA )

(2) Jose Luis DOMINGUEZ Jr. )

Case No. 4:21-mj-163Defendant(s)**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 20, 2021 in the county of Brewster in the  
**WESTERN DISTRICT OF TEXAS**, the defendant(s) violated:*Code Section**Offense Description*

8 USC §1324(a)(1)(A)(ii)

The defendants did knowingly and in reckless disregard of the fact that certain aliens had come to, entered, and/or remained in the United States in violation of law, did guide, transport, move, and attempt to guide and move said aliens within the United States in furtherance of said violation of law for financial gain.

This criminal complaint is based on these facts:



Continued on the attached sheet.

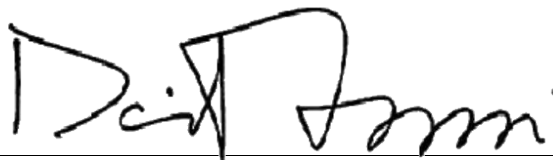
/s/ Mark M. Wesener

*Complainant's signature*

Mark M. Wesener / Special Agent

*Printed name and title***OATH TELEPHONICALLY SWORN**AT 09:00 A.M.

FED.R.CRIM.P. 4.1(b)(2)(A)

Date: 02/23/2021City and state: Pecos, Texas*Judge's signature*

Honorable Judge David B. Fannin

United States Magistrate Judge

## AFFIDAVIT

On February 20, 2021, at approximately 1240 hours, Alpine United States Border Patrol (USBP) Agents assigned to the Highway 118 checkpoint, which is in the Western District of Texas, observed a gray Nissan Altima (TX – KYG0235) turn around approximately one quarter of a mile south of the USBP checkpoint. USBP Agents pursued the vehicle and observed 4 individuals exit the vehicle and run west to jump a fence into the adjacent property approximately 1.5 miles south of the checkpoint. A USBP Agent, with his K9, pursued the 4 fleeing individuals on foot and apprehended all. An immigration inspection was conducted on the 4 individuals who claimed to be citizens of Mexico and without immigration documents allowing them to be in the United States legally.

As a USBP Agent approached the vehicle to speak with the driver, later identified as Alexzander BARRERA, the vehicle sped away, driving south on Hwy 118. A USBP Agent pursued the vehicle and the vehicle stopped at the Red House Ranch gate. BARRERA, a United States citizen, was taken into custody for suspicion of human smuggling.

After USBP Agents pursued the Nissan Altima, A USBP agent assigned to the primary lane at the Hwy 118 Checkpoint encountered a gray Chrysler 300 (TX-LDL8459). The USBP Agent observed the vehicle heavily weighted down in the rear of the vehicle, appearing to be carrying a heavy load. The USBP Agent made contact with the driver, later identified as Jose Luis DOMINGUEZ Jr., who appeared to be nervous. The USBP Agent observed 5 people stacked in the rear seat of the vehicle. The USBP Agent conducted an immigration inspection on all passengers; DOMINGUEZ was a United States citizen while all remaining passengers freely admitted to being illegally present in the United States without proper documentation to be in or remain in the United States. All occupants of the vehicle were detained and transported to the Alpine Border Patrol Station for processing and further investigation.

At approximately 1547 hours, Homeland Security Investigations (HSI) Special Agent (SA) Mark Wesener was contacted by Supervisory Border Patrol Agent Yrigoyen about a failed human smuggling event at the Hwy 118 checkpoint. SA Wesener responded to the Alpine Border Patrol Station to investigate.

SA Wesener read the Miranda rights to DOMINGUEZ who requested a lawyer and chose not to speak with the SA.

In a post-Miranda interview with BARRERA, BARRERA admitted to driving to Ojinaga, Mexico to meet with a man who set BARRERA and DOMINGUEZ up with the human smuggling scheme. BARRERA admitted he and DOMINGUEZ knowingly picked up 10 undocumented noncitizens east of Presidio, TX. BARRERA admitted to being paid \$2,000 per undocumented noncitizen for transporting them. BARRERA admitted to being paid \$1,000 up front and would be paid the rest when the families of the undocumented noncitizens wired money or paid BARRERA cash to release the undocumented noncitizens. BARRERA stated he would receive \$15,000 and would pay DOMINGUEZ \$5,000.

BARRERA admitted to picking up undocumented noncitizens 5-7 times in the past. BARRERA stated he would take them to his house in Odessa, TX until he was paid to release them. BARRERA stated he intended on taking this group of 10 to his house until he was paid to release them.

The undocumented noncitizens included 9 citizens of Mexico, to include 1 unaccompanied minor, and 1 citizen of Honduras. A citizen of Mexico is being prosecuted by USBP for violations of 8 USC §1326. Prosecution of BARRERA and DOMINGUEZ was accepted for violations of 8 USC §1324.